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PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number

10/769951

CLAIMS AS FILED - PART I			SMALL ENTITY		OTHER THAN SMALL ENTITY	
FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE	RATE	FEE
BASIC FEE (37 CFR 1.16(a))				\$		
TOTAL CLAIMS (37 CFR 1.16(c))	21 minus 21 =	0	X \$		X \$ 50 =	\$ 790.00
INDEPENDENT CLAIMS (37 CFR 1.16(b))	4 minus 4 =	0	X \$		X \$ 200 =	\$
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))			+	\$	+	\$ 360 =
TOTAL			TOTAL		TOTAL 790.00	

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If the difference in column 1 is less than zero, enter "0" in column 2.

CLAIMS AS AMENDED - PART II

AMENDMENT A					SMALL ENTITY		OTHER THAN SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE	
Total (37 CFR 1.16(c))	minus	**	=	X \$		X \$		
Independent (37 CFR 1.16(b))	minus	***	=	X \$		X \$		
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))					+	\$	+	\$
TOTAL ADD'L FEE					TOTAL ADD'L FEE		TOTAL ADD'L FEE	

AMENDMENT B					SMALL ENTITY		OTHER THAN SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE	
Total (37 CFR 1.16(c))	minus	**	=	X \$		X \$		
Independent (37 CFR 1.16(b))	minus	***	=	X \$		X \$		
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))					+	\$	+	\$
TOTAL ADD'L FEE					TOTAL ADD'L FEE		TOTAL ADD'L FEE	

AMENDMENT C					SMALL ENTITY		OTHER THAN SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE	
Total (37 CFR 1.16(c))	minus	**	=	X \$		X \$		
Independent (37 CFR 1.16(b))	minus	***	=	X \$		X \$		
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))					+	\$	+	\$
TOTAL ADD'L FEE					TOTAL ADD'L FEE		TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL To Commissioner For Patents Please enter the following submission and withdraw the finality of the proceeding office action or withdraw any pending appeal and reopen prosecution before the Examiner.	Application Number	10/764,951
	Filing Date	January 26, 2004
	First Named Inventor	David G. Miller
	Group Art Unit	3739
	Examiner Name	Matthew J. Kasztejna
	Attorney Docket Number	US030082

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This is an RCE under 37 C.F.R. § 1.114 of the above-identified application (which is made prior to: payment of issue fee; abandonment; notice of appeal to the CAFC; or commencement of civil action under 35 U.S.C. 145 or 146.)

1. **Submission required under 37 C.F.R. § 1.114**

a. ☒ Previously submitted

- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on May 5, 2006
 (Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____

b. ☐ Enclosed

- i. ☐ Preliminary Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____ may not be a brief)

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (May not exceed 3 months; Fee required per 37 C.F.R. § 1.117(f))
- b. ☐ Other _____

3. **Fees**


- a. ☒ The Commissioner For Patents is hereby authorized to charge all required fees except the issue fee or credit any overpayments, to Deposit Account No. 14-1270.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print Type)	Aaron Waxler	Registration No. (Attorney/Agent)	48,027
Signature		Date	5/24/06

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents,
 Box RCE, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office tel#: (571) 273-8300 on the date below:

Name (Print Type)	Patti DeMichele
Signature	
Date	5-25-06

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